

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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<b>In re</b>	:	<b>Chapter 7</b>
<b>BOAZ BAGBAG,</b>	:	<b>Case No. 08-12667 (MEW)</b>
	:	
<b>Debtor.</b>	:	
	x	
<b>BOAZ BAGBAG,</b>	:	
	:	
<b>Plaintiff,</b>	:	
<b>v.</b>	:	<b>Adv. Pro. No. 19-1022 (MEW)</b>
	:	
<b>SUMMA CAPITAL CORP.</b>	:	
	:	
<b>Defendant,</b>	:	
	:	

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**ORDER DENYING MOTION TO VACATE JUDGMENT**

This adversary proceeding originated in the Supreme Court for the State of New York and was removed to the United States District Court for the District of New York and then referred to this Court. The Court previously held that the complaint should be treated as a motion for relief from a judgment pursuant to Fed. R. Civ. P. 60, made applicable by Fed. R. Bankr. P. 9024. The Court directed the Debtor to file a such a motion, which the Debtor did on April 19, 2019 (the “Rule 60(b) Motion”). [Dkt No. 14]. Summa Capital opposed the Rule 60(b) Motion. An evidentiary hearing was held on July 30-31, 2019. For the reasons set forth in the separate Decision entered this same day (which incorporates rulings that the Court announced at the conclusion of the Hearing), it is hereby

ORDERED, that the motion to vacate the Judgment is denied; and it is further

ORDERED, that on or before August 8, 2019 the parties shall notify the Court whether they believe that any other aspect of this adversary proceeding remains to be decided, or whether the proceeding should be dismissed.

Dated: New York, New York  
August 1, 2019

/s/ Michael E. Wiles  
HONORABLE MICHAEL E. WILES  
UNITED STATES BANKRUPTCY JUDGE